

Frequently Asked Questions

Notice of Proposed Rulemaking to Withdraw the Test Procedures for Cooking Products

1. Why is DOE issuing this Notice of Proposed Rulemaking (NOPR)?

On April 25, 2018, DOE [published](#) in the Federal Register a petition from the Association of Home Appliance Manufacturers (AHAM) to withdraw and immediately stay the effectiveness of the conventional cooking top test procedure. In this NOPR, DOE proposes to grant the petition by withdrawing the test procedure for conventional cooking tops.

2. What change to the test procedure for conventional cooktops is DOE proposing?

DOE is proposing to withdraw the current test procedure for cooktops at [10 CFR 430.23\(i\)](#).

3. Why is DOE proposing to change the test procedure for conventional cooktops?

DOE tentatively determines that the differences between AHAM and DOE's test results suggest that additional investigation of repeatability and reproducibility of the cooktops test procedure is warranted. Further, DOE believes that differences in test results are indicative of the test not being representative of energy use or efficiency during an average use cycle. As such, it would be unduly burdensome to subject those manufacturers seeking to make representations as to the efficiency of their products to the requirement to conduct such tests while DOE investigates the issues presented.

4. What is DOE's statutory authority for this action?

The Energy Policy and Conservation Act requires that DOE test procedures be reasonably designed to produce test results that measure energy efficiency, energy use or estimated annual operating cost of a covered product during a representative average use cycle or period of use and not be unduly burdensome to conduct. Based on the review of public comments and data received in response to this petition, DOE has tentatively determined that the conventional cooking top test procedure may not accurately represent consumer use for gas cooking tops, may not be repeatable or reproducible for both gas and electric cooking tops, and is overly burdensome to conduct.

5. How will manufacturers test their products for compliance without a test procedure?

There is no current energy conservation performance standard for conventional cooking tops, rather there is a design requirement for gas cooktops. As a result this test procedure is not needed for compliance.

6. How does an interested party comment on this notice and when are comments due?

The public has 60 days after the NOPR is published in the Federal Register to submit comments. Comments should be submitted via www.regulations.gov or sent to CookProducts2018TP0004@ee.doe.gov. DOE will also hold a public meeting.

7. I have questions about this proposal. Whom should I contact?

For further information, contact Celia Sher (Celia.Sher@hq.doe.gov). DOE staff are available to meet with interested stakeholders per the Department's guidelines issued in 2009 on *ex parte* meetings ([74 FR 52795](#)).